

1 after appropriate notice, with a subpoena or warrant related to support or paternity  
2 proceedings that is issued by the department of children and families or a county  
3 child support agency under s. 59.53 (5).

4 **202.04 Voluntary surrender of registration.** A registrant may voluntarily  
5 surrender his or her registration. The department may refuse to accept that  
6 surrender if a complaint has been filed or a disciplinary proceeding has been  
7 commenced against the registrant.

8 **202.05 Nondisclosure of certain personal information.** (1) In this  
9 section:

10 (a) “List” means information compiled or maintained by the department that  
11 contains the personal identifiers of at least 10 individuals.

12 (b) “Personal identifier” means a social security number, telephone number,  
13 street name and number, electronic mail address, or post-office box number.

14 (2) If a form that the department requires an individual to complete in  
15 connection with a registration or registration renewal under this chapter requires  
16 the individual to provide a personal identifier of the individual, the form shall  
17 include a place for the individual to declare that the individual’s personal identifier  
18 may not be disclosed on any list that the department furnishes to another person.

19 (3) If the department requires an individual to provide in person or by  
20 telephone or other electronic means a personal identifier of the individual in  
21 connection with a registration or registration renewal under this chapter, the  
22 department shall provide the individual an opportunity to declare that the  
23 individual’s personal identifier may not be disclosed on any list that the department  
24 furnishes to another person.

**SECTION 1990**

(4) Upon request, the department shall provide to a registrant who is an individual a form that includes a place for the individual to declare that the individual's personal identifier may not be disclosed on any list that the department furnishes to another person.

(5) (a) Except as provided in par. (b), the department may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2), (3), or (4).

(b) Paragraph (a) does not apply to a list that the department furnishes to another state agency, a law enforcement agency, or a federal governmental agency. A state agency that receives a list from the department containing a personal identifier of an individual who has made a declaration under sub. (2), (3), or (4) may not disclose the personal identifier to any person other than a state agency, a law enforcement agency, or a federal governmental agency.

**202.055 Change of name or address.** (1) An applicant or registrant that undergoes a change of name or address shall notify the department of the applicant's or registrant's new name or address within 30 days after the change in writing or in accordance with other notification procedures approved by the department.

(2) The department may serve any process, notice, or demand on a registrant by mailing it to the last-known address of the registrant as indicated in the department's records, or by other means established by the department by rule.

(3) Any person who fails to comply with sub. (1) shall be subject to a forfeiture of \$50.

**202.06 Disciplinary proceedings; enforcement of laws requiring registration.** (1) INVESTIGATIONS. The department may conduct investigations and

1 hold hearings to determine whether any person has violated this chapter or any rule  
2 promulgated under this chapter.

3 (2) DISCIPLINARY ACTION. The department may reprimand a registrant or deny,  
4 limit, suspend, revoke, restrict, refuse to renew, or otherwise withhold a registration  
5 if the department finds that an applicant, registrant, or controlling person has done  
6 any of the following:

7 (a) Made a material misrepresentation or false statement in an application for  
8 registration or registration renewal or in any other information submitted to the  
9 department or in a report under s. 108.067.

10 (b) Violated this chapter or a rule promulgated under this chapter.

11 (3) FORFEITURE. In addition to or in lieu of a reprimand or a denial, limitation,  
12 suspension, revocation, restriction, nonrenewal, or other withholding of a  
13 registration under sub. (2), the department may assess against an applicant,  
14 registrant, or controlling person a forfeiture of not more than \$1,000 for each  
15 violation.

16 (5) INJUNCTION. If it appears upon complaint to the department or the  
17 department otherwise knows that any person has violated this chapter, the  
18 department or the district attorney of the proper county may investigate and may,  
19 in addition to any other remedies, bring action in the name of and on behalf of the  
20 state against that person to enjoin the person from committing further violations of  
21 this chapter.

22 (6) PRACTICE WITHOUT A REGISTRATION. (a) If, after holding a public hearing, the  
23 department determines that a person has engaged in a practice or used a title  
24 without a required registration, the department may issue a special order enjoining  
25 the person from continuing the practice or use of the title.

1 (b) In lieu of holding a public hearing, if the department has reason to believe  
2 that a person has engaged in a practice or used a title without a required registration,  
3 the department may petition the circuit court for a temporary restraining order or  
4 an injunction as provided in ch. 813.

5 (c) 1. Any person who violates a special order issued under par. (a) may be  
6 required to forfeit not more than \$10,000 for each offense. Each day of continued  
7 violation constitutes a separate offense. The attorney general or any district  
8 attorney may commence an action in the name of the state to recover a forfeiture  
9 under this subdivision.

10 2. Any person who violates a temporary restraining order or an injunction  
11 issued by a court upon a petition under par. (b) may be fined not less than \$25 nor  
12 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

13 (7) JUDICIAL REVIEW. Any person who is aggrieved by any action taken under  
14 this chapter by the department, its officers, or agents may apply for judicial review  
15 as provided in ch. 227.

16 **202.07 Administrative warnings.** (1) If the department determines during  
17 an investigation of a complaint against a registrant that there is evidence that the  
18 registrant committed misconduct, the department may close the investigation by  
19 issuing an administrative warning to the registrant if the department determines  
20 that no further disciplinary action is warranted, the complaint involves a first  
21 occurrence of a minor violation, and the issuance of an administrative warning  
22 adequately protects the public.

23 (2) A registrant may obtain review of an administrative warning through a  
24 personal appearance before the department.

1           (3) (a) An administrative warning does not constitute an adjudication of guilt  
2           or the imposition of discipline and, except as provided in par. (b), may not be used as  
3           evidence that the registrant is guilty of the alleged misconduct.

4           (b) If the department receives a subsequent complaint of misconduct by a  
5           registrant against whom the department issued an administrative warning, the  
6           department may reopen the matter that gave rise to the administrative warning and  
7           commence disciplinary proceedings against the registrant, and the administrative  
8           warning may be used as evidence that the registrant had actual notice that the  
9           misconduct that was the basis for the administrative warning was contrary to law.

10          (4) An administrative warning is a public record subject to inspection or  
11          copying under s. 19.35.

12          **202.08 Fees.** (1) The department shall determine the fees for an initial  
13          registration and for a registration renewal, including late fees for each type of  
14          registration under ss. 202.12 to 202.14 and 202.22, based on the department's  
15          administrative and enforcement costs under this chapter.

16          (2) Before the department makes any fee adjustment under sub. (1), the  
17          department shall send a notification of the proposed fee adjustments to the  
18          cochairpersons of the joint committee on finance. If the cochairpersons of the  
19          committee do not notify the secretary of financial institutions within 14 working  
20          days after the date of the department's notification that the committee has scheduled  
21          a meeting for the purpose of reviewing the proposed fee adjustments, the fee  
22          adjustments may be made as proposed. The department shall notify registrants of  
23          the fee adjustments by posting the fee adjustments on the department's Internet site  
24          and in registration renewal notices sent to affected registrants under s. 202.025 (1).  
25          If, within 14 working days after the date of the department's notification, the

1      cochairpersons of the committee notify the secretary of financial institutions that the  
2      committee has scheduled a meeting for the purpose of reviewing the proposed fee  
3      adjustments, the fee adjustments may be made only upon approval of the committee.

4           **202.09 Debit or credit card payments; collection of registration for**  
5      **nonpayment by financial institution.** (1) If the department permits the  
6      payment of a fee by use of a debit or credit card, the department may charge a service  
7      charge for each transaction in addition to the fee being paid. The service charge shall  
8      be sufficient to cover the cost to the department of permitting the payment of a fee  
9      by debit or credit card.

10           (2) If a registrant pays a fee required under this chapter by check or by debit  
11      or credit card and the check is not paid by the financial institution upon which the  
12      check is drawn or if the demand for payment under the debit or credit card  
13      transaction is not paid by the financial institution upon which demand is made, the  
14      department may cancel the registration after 60 days after the department receives  
15      a notice of nonpayment from the financial institution, subject to sub. (3).

16           (3) At least 20 days before canceling a registration under sub. (2), the  
17      department shall provide a notice to the registrant that informs the registrant that  
18      the check or demand for payment under the debit or credit card transaction was not  
19      paid by the financial institution and that the registrant's registration may be  
20      canceled, unless the registrant does all of the following before that date:

21           (a) Pays the fee for which the unpaid check or demand for payment under the  
22      debit or credit card transaction was issued.

23           (b) Pays any applicable late fee.

24           (c) Pays the charge for an unpaid draft established by the depository selection  
25      board under s. 20.905 (2).

1           (4) The department may extend the date for cancellation to allow the registrant  
2 additional time to comply with sub. (3) (a) to (c).

3           (5) The department may reinstate a registration that it cancelled under this  
4 section only if the former registrant complies with sub. (3) (a) to (c) and pays a \$30  
5 reinstatement fee.

6           **202.095 Rules.** The department shall promulgate rules to implement this  
7 chapter.

8           202.11 (5m) “Department” means the department of financial institutions.

9           202.21 (3m) “Department” means the department of financial institutions.

10          **SECTION 1991.** 224.42 (1) (a) of the statutes is amended to read:

11          224.42 (1) (a) “Financial institution” has the meaning given in ~~12 USC 3401~~  
12 ~~(1)~~ s. 49.45 (4m) (a) 3.

13          **SECTION 1992.** 227.01 (13) (im) of the statutes is repealed.

14          **SECTION 1993.** 227.01 (13) (Lr) of the statutes is created to read:

15          227.01 (13) (Lr) Determines what constitutes high-demand fields for purposes  
16 of s. 38.28 (2) (be) 1. b.

17          **SECTION 1994.** 227.01 (13) (sm) of the statutes is created to read:

18          227.01 (13) (sm) Is a standard or statement of policy adopted by the charter  
19 school oversight board.

20          **SECTION 1995.** 227.01 (13) (ur) of the statutes is repealed.

21          **SECTION 1996.** 227.03 (7m) of the statutes is amended to read:

22          227.03 (7m) Except as provided in s. ~~101.143~~ 292.63 (6s), this chapter does not  
23 apply to proceedings in matters that are arbitrated under s. ~~101.143~~ 292.63 (6s).

24          **SECTION 1997.** 227.42 (7) of the statutes is repealed.

25          **SECTION 1998.** 227.44 (8) of the statutes is amended to read:

**SECTION 1998**

1           227.44 (8) A stenographic, electronic or other record of oral proceedings shall  
2 be made in any class 2 or class 3 proceeding and in any class 1 proceeding when  
3 requested by a party. Each agency may establish rules relating to the transcription  
4 of the record into a written transcript and the providing of free copies of the written  
5 transcript. Rules may require a purpose for transcription which is deemed by the  
6 agency to be reasonable, such as appeal, and if this test is met to the satisfaction of  
7 the agency, the record shall be transcribed at the agency's expense, except that in  
8 preparing the record for judicial review of a decision that was made in an appeal  
9 under s. 227.47 (2) or in an arbitration proceeding under s. ~~101.143~~ 292.63 (6s) or  
10 230.44 (4) (bm) the record shall be transcribed at the expense of the party petitioning  
11 for judicial review. Rules may require a showing of impecuniousness or financial  
12 need as a basis for providing a free copy of the transcript, otherwise a reasonable  
13 compensatory fee may be charged. If any agency does not promulgate such rules,  
14 then it must transcribe the record and provide free copies of written transcripts upon  
15 request. In any event, an agency shall not refuse to provide a written transcript if  
16 the person making the request pays a reasonable compensatory fee for the  
17 transcription and for the copy. This subsection does not apply where a transcript fee  
18 is specifically provided by law.

19           **SECTION 1999.** 230.03 (8m) of the statutes is created to read:

20           230.03 (8m) "Continuous service" means service performed while employed by  
21 a state agency or by the Board of Regents of the University of Wisconsin System.

22           **SECTION 2000.** 230.08 (2) (e) 5. of the statutes is amended to read:

23           230.08 (2) (e) 5. Health services — ~~9~~ 10.

24           **SECTION 2001.** 230.08 (2) (e) 5m. of the statutes is amended to read:

25           230.08 (2) (e) 5m. Historical society — ~~5~~ 4.



1       **SECTION 2002.** 230.08 (2) (e) 11m. of the statutes is amended to read:

2       230.08 (2) (e) 11m. Safety and professional services — ~~8~~ 9.

3       **SECTION 2003.** 230.08 (2) (e) 13. of the statutes is amended to read:

4       230.08 (2) (e) 13. Veterans affairs — ~~3~~ 4.

      \*\*\*\*NOTE: This is reconciled s. 230.08 (2) (e) 13. This SECTION has been affected by  
drafts with the following LRB numbers: -0391 and -1207.

5       **SECTION 2004.** 230.08 (2) (fs) of the statutes is amended to read:

6       230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04  
7       (2) ~~and executive assistants, assistant deputy secretaries~~ to department secretaries  
8       appointed under s. 15.05 (3), ~~including those and executive assistants~~ appointed by  
9       the attorney general, the adjutant general, the director of the technical college  
10       system ~~and, the state superintendent of public instruction, and the director of the~~  
11       historical society under s. 15.05 (3).

      \*\*\*\*NOTE: This is reconciled s. 230.08 (2) (fs). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0026 and LRB-0707.

12       **SECTION 2005.** 230.08 (2) (m) of the statutes is repealed.

13       **SECTION 2006.** 230.08 (2) (sb) of the statutes is created to read:

14       230.08 (2) (sb) Solicitor general and deputy solicitor general positions in the  
15       department of justice.

16       **SECTION 2007.** 230.08 (2) (w) of the statutes is repealed and recreated to read:

17       230.08 (2) (w) The executive director of the office of crime victim services in the  
18       department of justice.

19       **SECTION 2008.** 230.08 (2) (xm) of the statutes is repealed.

20       **SECTION 2009.** 230.08 (2) (yc) of the statutes is created to read:

21       230.08 (2) (yc) The directors of regional offices of intergovernmental affairs in  
22       the department of administration.

1           **SECTION 2010.** 230.08 (4) (d) of the statutes is amended to read:

2           230.08 (4) (d) The division administrator appointed under sub. (2) (e) 4. shall  
3 be an attorney and shall be appointed by the chairperson of the employment  
4 relations commission.

5           **SECTION 2011.** 230.12 (3) (e) (title) of the statutes, as affected by 2011 Wisconsin  
6 Act 32, is amended to read:

7           230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*  
8 *and academic staff employees; Wisconsin Technical College System senior executives.*

9           **SECTION 2012.** 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin  
10 Act 32, is repealed.

11           **SECTION 2013.** 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

12           **SECTION 2014.** 230.12 (11) of the statutes is created to read:

13           230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There  
14 is established a pay progression plan for assistant state public defenders. The pay  
15 progression plan shall consist of 17 hourly salary steps, with each step equal to  
16 one-seventeenth of the difference between the lowest hourly salary and the highest  
17 hourly salary for the salary range for assistant state public defenders contained in  
18 the compensation plan. The pay progression plan shall be based entirely on merit.

19           (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
20 assistant state public defenders who have served with the state as assistant state  
21 public defenders for a continuous period of 12 months or more, and who are not paid  
22 the maximum hourly rate, shall be paid an hourly salary at the step that is  
23 immediately above their hourly salary on June 30, 2013. All other assistant state  
24 public defenders, who are not paid the maximum hourly rate, shall be paid an hourly  
25 salary at the step that is immediately above their hourly salary on June 30, 2013,

1 when they have served with the state as assistant state public defenders for a  
2 continuous period of 12 months.

3 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
4 with the first pay period that occurs on or after each succeeding July 1, all assistant  
5 state public defenders who have served with the state as assistant state public  
6 defenders for a continuous period of 12 months or more, and who are not paid the  
7 maximum hourly rate, may, at the discretion of the state public defender, be paid an  
8 hourly salary at any step, or part thereof, above their hourly salary on the  
9 immediately preceding June 30. All other assistant state public defenders, who are  
10 not paid the maximum hourly rate, may, at the discretion of the state public defender,  
11 be paid an hourly salary at any step, or part thereof, above their hourly salary on the  
12 immediately preceding June 30, when they have served with the state as assistant  
13 state public defenders for a continuous period of 12 months. No salary adjustment  
14 for an assistant state public defender under this paragraph may exceed 10 percent  
15 of his or her base pay during a fiscal year.

16 **SECTION 2015.** 230.12 (12) of the statutes is created to read:

17 **230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN.** (a) There is  
18 established a pay progression plan for assistant attorneys general. The pay  
19 progression plan shall consist of 17 hourly salary steps, with each step equal to  
20 one-seventeenth of the difference between the lowest hourly salary and the highest  
21 hourly salary for the salary range for assistant attorneys general contained in the  
22 compensation plan. The pay progression plan shall be based entirely on merit.

23 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
24 assistant attorneys general who have served with the state as assistant attorneys  
25 general for a continuous period of 12 months or more, and who are not paid the

1 maximum hourly rate, shall be paid an hourly salary at the step that is immediately  
2 above their hourly salary on June 30, 2013. All other assistant attorneys general,  
3 who are not paid the maximum hourly rate, shall be paid an hourly salary at the step  
4 that is immediately above their hourly salary on June 30, 2013, when they have  
5 served with the state as assistant attorneys general for a continuous period of 12  
6 months.

7 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
8 with the first pay period that occurs on or after each succeeding July 1, all assistant  
9 attorneys general who have served with the state as assistant attorneys general for  
10 a continuous period of 12 months or more, and who are not paid the maximum hourly  
11 rate, may, at the discretion of the attorney general, be paid an hourly salary at any  
12 step, or part thereof, above their hourly salary on the immediately preceding June  
13 30. All other assistant attorneys general, who are not paid the maximum hourly rate,  
14 may, at the discretion of the attorney general, be paid an hourly salary at any step,  
15 or part thereof, above their hourly salary on the immediately preceding June 30,  
16 when they have served with the state as assistant attorneys general for a continuous  
17 period of 12 months. No salary adjustment for an assistant attorney general under  
18 this paragraph may exceed 10 percent of his or her base pay during a fiscal year.

19 **SECTION 2016.** 230.14 (3m) of the statutes is amended to read:

20 230.14 (3m) In advertising openings in the classified civil service, the state  
21 may not require as a condition of application that an applicant be a college graduate  
22 unless the opening is a position as a forensic scientist in a state or regional crime  
23 laboratory or unless the opening must be filled by an incumbent holding a credential,  
24 as defined in s. 440.01 (2) (a), or other license, permit, certificate or registration in

1 an occupation regulated by law and college graduation is required to obtain the  
2 occupational credential, license, permit, certificate or registration.

3 **SECTION 2017.** 230.35 (1s) of the statutes is amended to read:

4 230.35 (1s) Annual leave of absence with pay for instructional staff employed  
5 by the board of regents of the University of Wisconsin System who provide services  
6 for a charter school established by contract under s. 118.40 (2r) (cm), 2011 stats.,  
7 shall be determined by the governing board of the charter school established by  
8 contract under s. 118.40 (2r) (cm), 2011 stats., as approved by the chancellor of the  
9 University of Wisconsin–Parkside.

10 **SECTION 2018.** 231.01 (4) (a) of the statutes is amended to read:

11 231.01 (4) (a) “Cost” means the sum of all costs incurred by a participating  
12 health institution, participating educational institution, participating nonprofit  
13 institution, or participating research institution, as approved by the authority, as are  
14 reasonable and necessary to accomplish the project, exclusive of any private or  
15 federal, state, or local financial assistance received by the participating health  
16 institution, participating educational institution, participating nonprofit  
17 institution, or participating research institution for the payment of the project cost.

18 **SECTION 2019.** 231.01 (4) (b) 1. of the statutes is amended to read:

19 231.01 (4) (b) 1. The cost incurred by or on behalf of the participating health  
20 institution, participating educational institution, participating nonprofit  
21 institution, or participating research institution of all necessary developmental,  
22 planning, and feasibility studies, surveys, plans, and specifications, architectural,  
23 engineering, legal, or other special services, the cost of acquisition of land and any  
24 buildings and improvements on the land, site preparation, and development

1 including demolition or removal of existing structures, construction, reconstruction,  
2 and equipment, including machinery, fixed equipment, and personal property.

3 **SECTION 2020.** 231.01 (4) (b) 2. of the statutes is amended to read:

4 231.01 (4) (b) 2. The reasonable cost of financing incurred by a participating  
5 health institution, participating educational institution, participating nonprofit  
6 institution, or participating research institution in the course of the development of  
7 the project to the occupancy date.

8 **SECTION 2021.** 231.01 (4) (c) of the statutes is amended to read:

9 231.01 (4) (c) All rents and other net revenues from the operation of the real  
10 property, improvements, or personal property on the project site by a participating  
11 health institution, participating educational institution, participating nonprofit  
12 institution, or participating research institution on and after the date on which the  
13 contract between a participating health institution, participating educational  
14 institution, participating nonprofit institution, or participating research institution  
15 and the authority was entered into, but prior to the occupancy date, shall reduce the  
16 sum of all costs in this subsection.

17 **SECTION 2022.** 231.01 (5n) of the statutes is created to read:

18 231.01 (5n) “Nonprofit entity” means an entity that is described in section 501  
19 (c) (3) of the Internal Revenue Code and that is exempt from federal income tax under  
20 section 501 (a) of the Internal Revenue Code.

21 **SECTION 2023.** 231.01 (5p) of the statutes is created to read:

22 231.01 (5p) “Nonprofit facility” means a facility that is owned or operated by  
23 a nonprofit entity.

24 **SECTION 2024.** 231.01 (6m) of the statutes is created to read:

1           231.01 (6m) “Participating nonprofit institution” means a nonprofit entity, or  
2           an affiliate of a nonprofit entity, that undertakes the financing and construction or  
3           acquisition of a project or undertakes the refunding or refinancing of obligations or  
4           of a mortgage or of advances as provided in this chapter and is not any of the  
5           following:

6           1. An entity authorized by state law to provide or operate an educational facility  
7           or an affiliate of an entity authorized by state law to provide or operate an  
8           educational facility.

9           2. An entity authorized by state law to provide or operate a health facility or  
10          an affiliate of an entity authorized by state law to provide or operate a health facility.

11          3. An entity authorized by state law to provide or operate a research facility or  
12          an affiliate of an entity authorized by state law to provide or operate a research  
13          facility.

14          **SECTION 2025.** 231.01 (7) (a) 1. of the statutes is amended to read:

15          231.01 (7) (a) 1. A specific health facility, educational facility, nonprofit facility,  
16          or research facility work or improvement to be refinanced, acquired, constructed,  
17          enlarged, remodeled, renovated, improved, furnished, or equipped by the authority  
18          with funds provided in whole or in part under this chapter.

19          **SECTION 2026.** 231.01 (7) (a) 2. of the statutes is amended to read:

20          231.01 (7) (a) 2. One or more structures suitable for use as a research facility,  
21          nonprofit facility, health facility, laboratory, laundry, nurses’ or interns’ residence or  
22          other multi-unit housing facility for staff, employees, patients or relatives of  
23          patients admitted for treatment or care in a health facility, physician’s facility,  
24          administration building, nonprofit facility, research facility, maintenance, storage,  
25          or utility facility.

1           **SECTION 2027.** 231.01 (7) (a) 4. of the statutes is amended to read:

2           231.01 (7) (a) 4. Any structure useful for the operation of a health facility,  
3           educational facility, nonprofit facility, or research facility, including facilities or  
4           supporting service structures essential or convenient for the orderly conduct of the  
5           health facility, educational facility, nonprofit facility, or research facility.

6           **SECTION 2028.** 231.01 (7) (c) of the statutes is amended to read:

7           231.01 (7) (c) “Project” may include more than one project, and it may include  
8           any combination of projects undertaken jointly by any participating health  
9           institution, participating educational institution, participating nonprofit  
10          institution, or participating research institution with one or more other  
11          participating health institutions, participating educational institutions,  
12          participating nonprofit institutions, or participating research institutions.

13          **SECTION 2029.** 231.02 (6) (b) of the statutes is amended to read:

14          231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict  
15          of interest or violation of this section or of any other law for a trustee, director, officer,  
16          or employee of a participating health institution, participating educational  
17          institution, participating nonprofit institution, or participating research institution  
18          or for a person having the required favorable reputation for skill, knowledge, and  
19          experience in state and municipal finance or for a person having the required  
20          favorable reputation for skill, knowledge, and experience in the field of health  
21          facility, educational facility, nonprofit facility, or research facility architecture to  
22          serve as a member of the authority; if in each case to which par. (a) is applicable, the  
23          trustee, director, officer, or employee of the participating health institution,  
24          participating educational institution, participating nonprofit institution, or  
25          participating research institution abstains from discussion, deliberation, action, and



1 vote by the authority in specific respect to any undertaking pursuant to this chapter  
2 in which his or her participating health institution, participating educational  
3 institution, participating nonprofit institution, or participating research institution  
4 has an interest, or the person having the required favorable reputation for skill,  
5 knowledge, and experience in state and municipal finance abstains from discussion,  
6 deliberation, action, and vote by the authority in specific respect to any sale,  
7 purchase, or ownership of bonds of the authority in which any business of which such  
8 person is a participant, owner, officer, or employee has a past, current, or future  
9 interest, or such person having the required favorable reputation for skill,  
10 knowledge, and experience in the field of health facility, educational facility,  
11 nonprofit facility, or research facility architecture abstains from discussion,  
12 deliberation, action, and vote by the authority in specific respect to construction or  
13 acquisition of any project of the authority in which any business of which such person  
14 is a participant, owner, officer, or employee has a past, current, or future interest.

15 **SECTION 2030.** 231.03 (5) of the statutes is amended to read:

16 231.03 (5) Determine the location and character of any project to be financed  
17 under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add  
18 to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any  
19 such purpose, enter into contracts for the management and operation of a project or  
20 other health facilities, educational facilities, nonprofit facilities, or research facilities  
21 owned by the authority, and designate a participating health institution,  
22 participating educational institution, participating nonprofit institution, or  
23 participating research institution as its agent to determine the location and  
24 character of a project undertaken by the participating health institution,  
25 participating educational institution, participating nonprofit institution, or

1 participating research institution under this chapter and as the agent of the  
2 authority, to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add  
3 to, repair, operate, lease as lessee or lessor and regulate the same, and as the agent  
4 of the authority, to enter into contracts for any such purpose, including contracts for  
5 the management and operation of such project or other health facilities, educational  
6 facilities, nonprofit facilities, or research facilities owned by the authority.

7 **SECTION 2031.** 231.03 (6) (j) of the statutes is created to read:

8 231.03 (6) (j) Finance any project undertaken for a nonprofit facility by a  
9 participating nonprofit institution.

10 **SECTION 2032.** 231.03 (6) (k) of the statutes is created to read:

11 231.03 (6) (k) Refinance outstanding debt of any participating nonprofit  
12 institution.

13 **SECTION 2033.** 231.03 (7) of the statutes is amended to read:

14 231.03 (7) Fix and revise from time to time and charge and collect rates, rents,  
15 fees, and charges for the use of and for the services furnished or to be furnished by  
16 a project or other health facilities, educational facilities, nonprofit facilities, or  
17 research facilities owned by the authority or any portion thereof, contract with any  
18 person in respect thereto and coordinate its policies and procedures, and cooperate  
19 with recognized health facility, educational facility, nonprofit facility, or research  
20 facility rate setting mechanisms.

21 **SECTION 2034.** 231.03 (8) of the statutes is amended to read:

22 231.03 (8) Adopt rules for the use of a project or other health facility,  
23 educational facility, nonprofit facility, or research facility or any portion of the project  
24 or facility owned, financed, or refinanced in whole or in part by the authority,  
25 including any property used as security for a loan secured through, from, or with the

1 assistance of the authority. The authority may designate a participating health  
2 institution, participating educational institution, participating nonprofit  
3 institution, or participating research institution as its agent to establish rules for the  
4 use of a project or other health facilities, educational facilities, nonprofit facilities,  
5 or research facilities undertaken for that participating health institution,  
6 participating educational institution, participating nonprofit institution, or  
7 participating research institution. The rules shall ensure that a project, health  
8 facility, educational facility, research facility, nonprofit facility, or property may not  
9 be used primarily for sectarian instruction or study or as a place for devotional  
10 activities or religious worship.

11 **SECTION 2035.** 231.03 (11) of the statutes is amended to read:

12 231.03 (11) Establish or contract with others to carry out on its behalf a health  
13 facility, educational facility, nonprofit facility, or research facility project cost  
14 estimating service, and make this service available on all projects to provide expert  
15 cost estimates and guidance to the participating health institution, participating  
16 educational institution, participating nonprofit institution, or participating  
17 research institution and to the authority. To implement this service and, through it,  
18 to contribute to cost containment, the authority may require such reasonable reports  
19 and documents from health facility, educational facility, nonprofit facility, or  
20 research facility projects as are required for this service and for the development of  
21 cost reports and guidelines. The authority shall appoint a technical committee on  
22 health facility, educational facility, nonprofit facility, or research facility project costs  
23 and cost containment.

24 **SECTION 2036.** 231.03 (13) of the statutes is amended to read:

**SECTION 2036**

231.03 (13) Make loans to any participating health institution, participating educational institution, participating nonprofit institution, or participating research institution for the cost of a project in accordance with an agreement between the authority and the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution. The authority may secure the loan by a mortgage or other security arrangement on the health facility, educational facility, nonprofit facility, or research facility granted by the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution to the authority. The loan may not exceed the total cost of the project as determined by the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution and approved by the authority.

**SECTION 2037.** 231.03 (14) of the statutes is amended to read:

231.03 (14) Make loans to a health facility, educational facility, nonprofit facility, or research facility for which bonds may be issued under sub. (6) (b), (d), or (i), or (k), to refinance the health facility's, educational facility's, nonprofit facility's, or research facility's outstanding debt. The authority may secure the loan or bond by a mortgage or other security arrangement on the health facility, educational facility, nonprofit facility, or research facility granted by the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution to the authority.

**SECTION 2038.** 231.03 (15) of the statutes is amended to read:

231.03 (15) Mortgage all or any portion of a project and other health facilities, educational facilities, nonprofit facilities, or research facilities and the site thereof,

1 whether owned or thereafter acquired, for the benefit of the holders of bonds issued  
2 to finance the project, health facilities, educational facilities, nonprofit facilities, or  
3 research facilities or any portion thereof or issued to refund or refinance outstanding  
4 indebtedness of participating health institutions, participating educational  
5 institutions, participating nonprofit institutions, or participating research  
6 institutions as permitted by this chapter.

7 **SECTION 2039.** 231.03 (16) of the statutes is amended to read:

8 231.03 (16) Lease to a participating health institution, participating  
9 educational institution, participating nonprofit institution, or participating  
10 research institution the project being financed or other health facilities, educational  
11 facilities, nonprofit facilities, or research facilities conveyed to the authority in  
12 connection with such financing, upon such terms and conditions as the authority  
13 deems proper, and charge and collect rents therefor, and terminate any such lease  
14 upon the failure of the lessee to comply with any of the obligations thereof; and  
15 include in any such lease, if desired, provisions that the lessee thereof shall have  
16 options to renew the term of the lease for such periods and at such rent as the  
17 authority determines or to purchase all or any part of the health facilities,  
18 educational facilities, nonprofit facilities, or research facilities or that, upon  
19 payment of all of the indebtedness incurred by the authority for the financing of such  
20 project or health facilities, educational facilities, nonprofit facilities, or research  
21 facilities or for refunding outstanding indebtedness of a participating health  
22 institution, participating educational institution, participating nonprofit  
23 institution, or participating research institution, the authority may convey all or any  
24 part of the project or such other health facilities, educational facilities, nonprofit  
25 facilities, or research facilities to the lessees thereof with or without consideration.

1           **SECTION 2040.** 231.03 (17) of the statutes is amended to read:

2           231.03 (17) Charge to and apportion among participating health institutions,  
3           participating educational institutions, participating nonprofit institutions, and  
4           participating research institutions its administrative costs and expenses incurred in  
5           the exercise of the powers and duties conferred by this chapter.

6           **SECTION 2041.** 231.03 (18) of the statutes is amended to read:

7           231.03 (18) Make studies of needed health facilities, educational facilities,  
8           nonprofit facilities, and research facilities that could not sustain a loan were it made  
9           under this chapter and recommend remedial action to the legislature; and do the  
10          same with regard to any laws or rules that prevent health facilities, educational  
11          facilities, nonprofit facilities, and research facilities from benefiting from this  
12          chapter.

13          **SECTION 2042.** 231.03 (19) of the statutes is amended to read:

14          231.03 (19) Obtain, or aid in obtaining, from any department or agency of the  
15          United States or of this state or any private company, any insurance or guaranty  
16          concerning the payment or repayment of, interest or principal, or both, or any part  
17          thereof, on any loan, lease, or obligation or any instrument evidencing or securing  
18          the same, made or entered into under the provisions of this chapter; and  
19          notwithstanding any other provisions of this chapter, to enter into any agreement,  
20          contract, or other instrument with respect to that insurance or guaranty, to accept  
21          payment in the manner and form provided therein in the event of default by a  
22          participating health institution, participating educational institution, participating  
23          nonprofit institution, or participating research institution, and to assign the  
24          insurance or guaranty as security for the authority's bonds.

25          **SECTION 2043.** 231.04 of the statutes is amended to read:

1           **231.04 Expenses.** All expenses of the authority incurred in carrying out this  
2 chapter shall be payable solely from funds provided under the authority of this  
3 chapter, and no liability may be incurred by the authority beyond the extent to which  
4 moneys have been provided under this chapter except that, for the purposes of  
5 meeting the necessary expenses of initial organization and operation of the authority  
6 for the period commencing on June 19, 1974 and continuing until such date as the  
7 authority derives moneys from funds provided to it under the authority of this  
8 chapter, the authority may borrow such moneys as it requires to supplement the  
9 funds provided under s. 20.440. Such moneys borrowed by the authority shall  
10 subsequently be charged to and apportioned among participating health  
11 institutions, participating educational institutions, participating nonprofit  
12 institutions, and participating research institutions in an equitable manner, and  
13 repaid with appropriate interest over a reasonable period of time.

14           **SECTION 2044.** 231.05 (1) of the statutes is amended to read:

15           231.05 (1) By means of this chapter, it is the intent of the legislature to provide  
16 assistance and alternative methods of financing to nonprofit health institutions  
17 entities to aid them in providing needed health services consistent with the state's  
18 health plan, ~~to nonprofit educational institutions to aid them in providing needed~~  
19 ~~educational services, and to nonprofit research institutions to aid them in providing~~  
20 ~~needed research facilities, and other needed services and facilities in this state.~~

21           **SECTION 2045.** 231.06 of the statutes is amended to read:

22           **231.06 Property acquisition.** The authority may acquire, directly or by and  
23 through a participating health institution, participating educational institution,  
24 participating nonprofit institution, or participating research institution as its agent,  
25 by purchase or by gift or devise, such lands, structures, property, rights,

**SECTION 2045**

1 rights-of-way, franchises, easements, and other interests in lands, including lands  
2 lying under water and riparian rights, as it deems necessary or convenient for the  
3 construction or operation of a project, upon such terms and at such prices as it  
4 considers reasonable and can be agreed upon between it and the owner thereof, and  
5 take title thereto in the name of the authority or in the name of a health facility,  
6 educational facility, nonprofit facility, or research facility as its agent.

7 **SECTION 2046.** 231.07 (1) (b) of the statutes is amended to read:

8 231.07 (1) (b) Convey to the participating health institution, participating  
9 educational institution, participating nonprofit institution, or participating  
10 research institution the authority's interest in the project and in any other health  
11 facility, educational facility, nonprofit facility, or research facility leased, mortgaged,  
12 or subject to a deed of trust or any other form of security arrangement to secure the  
13 bond.

14 **SECTION 2047.** 231.07 (2) (a) of the statutes is amended to read:

15 231.07 (2) (a) The principal of and interest on any bond issued by the authority  
16 to finance a project or to refinance or refund outstanding indebtedness of one or more  
17 participating health institutions, participating educational institutions,  
18 participating nonprofit institutions, or participating research institutions, including  
19 any refunding bonds issued to refund and refinance the bond, have been fully paid  
20 and the bonds retired or if the adequate provision has been made to pay fully and  
21 retire the bond; and

22 **SECTION 2048.** 231.08 (5) of the statutes is amended to read:

23 231.08 (5) In addition to the other authorizations under this section, bonds of  
24 the authority may be secured by a pooling of leases whereby the authority may assign  
25 its rights, as lessor, and pledge rents under 2 or more leases of health facilities,



1 educational facilities, nonprofit facilities, or research facilities with 2 or more  
2 participating health institutions, participating educational institutions,  
3 participating nonprofit institutions, or participating research institutions, as lessees  
4 respectively, upon such terms as may be provided for in bond resolutions of the  
5 authority.

6 **SECTION 2049.** 231.10 (1) of the statutes is amended to read:

7 231.10 (1) The state is not liable on notes or bonds of the authority and the notes  
8 and bonds are not a debt of the state. All notes and bonds of the authority shall  
9 contain on the face thereof a statement to this effect. The issuance of bonds under  
10 this chapter shall not, directly or indirectly or contingently, obligate the state or any  
11 political subdivision thereof to levy any form of taxation therefor or to make any  
12 appropriation for their payment. Nothing in this section prevents the authority from  
13 pledging its full faith and credit or the full faith and credit of a participating health  
14 institution, participating educational institution, participating nonprofit  
15 institution, or participating research institution to the payment of bonds authorized  
16 under this chapter.

17 **SECTION 2050.** 231.12 of the statutes is amended to read:

18 **231.12 Studies and recommendations.** It is the intent and purpose of this  
19 chapter that the exercise by the authority of the powers granted to it shall be in all  
20 respects for the benefit of the people of this state to assist them to provide needed  
21 health facilities, educational facilities, nonprofit facilities, and research facilities of  
22 the number, size, type, distribution, and operation that will assure admission and  
23 health care, education, ~~or~~ research opportunities, or other necessary services of high  
24 quality to all who need it. The authority shall identify and study all projects which  
25 are determined by health planning agencies to be needed, but which could not.

**SECTION 2050**

1 sustain a loan were such to be made to it under this chapter. The authority shall  
2 formulate and recommend to the legislature such amendments to this and other  
3 laws, and such other specific measures as grants, loan guarantees, interest  
4 subsidies, or other actions the state may provide which would render the  
5 construction and operation of needed health facilities, educational facilities,  
6 nonprofit facilities, and research facilities feasible and in the public interest. The  
7 authority also shall identify and study any laws or rules which it finds handicaps or  
8 bars a needed health facility, educational facility, nonprofit facility, or research  
9 facility from participating in the benefits of this chapter, and recommend to the  
10 legislature such actions as will remedy such situation.

11 **SECTION 2051.** 231.13 (1) (intro.) of the statutes is amended to read:

12 231.13 (1) (intro.) The authority shall collect rents for the use of, or other  
13 revenues relating to the financing of, each project. The authority shall contract with  
14 a participating health institution, participating educational institution,  
15 participating nonprofit institution, or participating research institution for each  
16 issuance of bonds. The contract shall provide that the rents or other revenues  
17 payable by the health facility, educational facility, nonprofit facility, or research  
18 facility shall be sufficient at all times to:

19 **SECTION 2052.** 231.13 (2) of the statutes is amended to read:

20 231.13 (2) The authority shall pledge the revenues derived and to be derived  
21 from a project and other related health facilities, educational facilities, nonprofit  
22 facilities, or research facilities for the purposes specified in sub. (1), and additional  
23 bonds may be issued which may rank on a parity with other bonds relating to the  
24 project to the extent and on the terms and conditions provided in the bond resolution.  
25 Such pledge shall be valid and binding from the time when the pledge is made, the

1 revenues so pledged by the authority shall immediately be subject to the lien of such  
2 pledge without any physical delivery thereof or further act and the lien of any such  
3 pledge shall be valid and binding as against all parties having claims of any kind in  
4 tort, contract, or otherwise against the authority, irrespective of whether such  
5 parties have notice thereof. Neither the bond resolution nor any financing  
6 statement, continuation statement, or other instrument by which a pledge is created  
7 or by which the authority's interest in revenues is assigned need be filed or recorded  
8 in any public records in order to perfect the lien thereof as against 3rd parties, except  
9 that a copy thereof shall be filed in the records of the authority and with the  
10 department of financial institutions.

11 **SECTION 2053.** 231.16 (1) of the statutes is amended to read:

12 231.16 (1) The authority may issue bonds to refund any outstanding bond of  
13 the authority or indebtedness that a participating health institution, participating  
14 educational institution, participating nonprofit institution, or participating  
15 research institution may have incurred for the construction or acquisition of a project  
16 prior to or after April 30, 1980, including the payment of any redemption premium  
17 on the outstanding bond or indebtedness and any interest accrued or to accrue to the  
18 earliest or any subsequent date of redemption, purchase, or maturity, or to pay all  
19 or any part of the cost of constructing and acquiring additions, improvements,  
20 extensions, or enlargements of a project or any portion of a project. Except for bonds  
21 to refund bonds issued under s. 231.03 (6) (g), no bonds may be issued under this  
22 section unless the authority has first entered into a new or amended agreement with  
23 a participating health institution, participating educational institution,  
24 participating nonprofit institution, or participating research institution to provide  
25 sufficient revenues to pay the costs and other items described in s. 231.13.

1           **SECTION 2054.** 231.20 of the statutes is amended to read:

2           **231.20 Waiver of construction and bidding requirements.** In exercising  
3 its powers under s. 101.12, the department of safety and professional services or any  
4 city, village, town, or county may, within its discretion for proper cause shown, waive  
5 any particular requirements relating to public buildings, structures, grounds,  
6 works, and improvements imposed by law upon projects under this chapter; the  
7 requirements of s. 101.13 may not be waived, however. If, however, the prospective  
8 lessee so requests in writing, the authority shall, through the participating health  
9 institution, participating educational institution, participating nonprofit  
10 institution, or participating research institution as its agent, call for construction  
11 bids in such manner as is determined by the authority with the approval of the lessee.

12           **SECTION 2055.** 231.23 of the statutes is amended to read:

13           **231.23 Nonprofit institutions.** It is intended that all nonprofit health  
14 ~~institutions, educational institutions, and research institutions~~ entities in this state  
15 be enabled to benefit from and participate in this chapter. To this end, all nonprofit  
16 ~~health institutions, educational institutions, and research institutions~~ entities  
17 operating, or authorized to be operated, under any law of this state may undertake  
18 projects and utilize the capital financing sources and methods of repayment provided  
19 by this chapter, the provisions of any other laws to the contrary notwithstanding.

20           **SECTION 2056.** 238.133 (1) (c) of the statutes is amended to read:

21           238.133 (1) (c) “Petroleum product” has the meaning given in s. ~~101.143~~ 292.63  
22 (1) (f).

23           **SECTION 2057.** 238.133 (1) (e) of the statutes is amended to read:

24           238.133 (1) (e) “Underground petroleum product storage tank” has the  
25 meaning given in s. ~~101.143~~ 292.63 (1) (i).

1       **SECTION 2058.** 238.145 of the statutes is repealed.

2       **SECTION 2059.** 238.146 of the statutes is repealed.

3       **SECTION 2060.** 238.16 (1) (c) of the statutes is renumbered 238.16 (1) (c) 1. and  
4 amended to read:

5       238.16 (1) (c) 1. ~~“Full-time~~ Except as provided in subd. 2., “full-time job” means  
6 a regular, nonseasonal full-time position in which an individual, as a condition of  
7 employment, is required to work at least 2,080 hours per year, including paid leave  
8 and holidays, and for which the individual receives pay that is equal to at least 150  
9 percent of the federal minimum wage and benefits that are not required by federal  
10 or state law. “Full-time job” does not include initial training before an employment  
11 position begins.

12       **SECTION 2061.** 238.16 (1) (c) 2. of the statutes is created to read:

13       238.16 (1) (c) 2. The corporation may grant exceptions to the requirement  
14 under subd. 1. that a full-time job means a position in which an individual, as a  
15 condition of employment, is required to work at least 2,080 hours per year if all of the  
16 following apply:

17       a. The annual pay for the position is more than the amount determined by  
18 multiplying 2,080 by 150 percent of the federal minimum wage.

19       b. An individual in the position is offered retirement, health, and other benefits  
20 that are equivalent to the retirement, health, and other benefits offered to an  
21 individual who is required to work at least 2,080 hours per year.

22       **SECTION 2062.** 238.16 (3) (intro.) of the statutes is amended to read:

23       238.16 (3) **ELIGIBILITY FOR TAX BENEFITS.** (intro.) A person certified under sub.  
24 (2) may receive tax benefits under this section if, in each year for which the person  
25 claims tax benefits under this section, the person increases net employment in the

1 person's business above the net employment in the person's business during the year  
2 before the person was certified under sub. (2), as determined by the corporation  
3 under its policies and procedures, and one of the following applies:

4 **SECTION 2063.** 238.16 (3) (a) of the statutes is amended to read:

5 238.16 (3) (a) In a tier I county or municipality, an eligible employee for whom  
6 the person claims a tax credit will earn at least \$20,000 the amount determined by  
7 multiplying 2,080 by 150 percent of the federal minimum wage in wages from the  
8 person in the year for which the credit is claimed.

9 **SECTION 2064.** 238.16 (3) (am) of the statutes is repealed.

10 **SECTION 2065.** 238.16 (4) (b) 1. (intro.) of the statutes is amended to read:

11 238.16 (4) (b) 1. (intro.) The corporation may award to a person certified under  
12 sub. (2) tax benefits for each eligible employee in an amount equal to up to 10 percent  
13 of the wages paid by the person to that employee or \$10,000, whichever is less, if that  
14 employee earned wages in the year for which the tax benefit is claimed equal to one  
15 of the following:

16 **SECTION 2066.** 238.16 (4) (b) 1. a. of the statutes is amended to read:

17 238.16 (4) (b) 1. a. In a tier I county or municipality, at least \$20,000 the amount  
18 determined by multiplying 2,080 by 150 percent of the federal minimum wage.

19 **SECTION 2067.** 238.16 (5) (f) (intro.) of the statutes is amended to read:

20 238.16 (5) (f) (intro.) The corporation shall adopt rules policies and procedures  
21 for the implementation and operation of this section, including rules policies and  
22 procedures relating to the following:

23 **SECTION 2068.** 238.16 (5) (f) 5. of the statutes is created to read:

24 238.16 (5) (f) 5. Determining a change in net employment in a person's  
25 business.

1       **SECTION 2069.** 238.20 of the statutes is repealed.

2       **SECTION 2070.** 238.30 (intro.) of the statutes is amended to read:

3       **238.30 Definitions.** (intro.) In this section and ss. ~~238.31~~ 238.301 to 238.395:

4       **SECTION 2071.** 238.30 (2m) (b) of the statutes is renumbered 238.30 (2m) (b)  
5 (intro.) and amended to read:

6       238.30 **(2m)** (b) (intro.) The corporation ~~may adopt a rule specifying~~  
7 ~~circumstances under which the corporation~~ may grant exceptions to the requirement  
8 under par. (a) that a full-time job means a job position in which an individual, as a  
9 condition of employment, is required to work at least 2,080 hours per year, ~~but under~~  
10 ~~no circumstances may a full-time job mean a job in which an individual, as a~~  
11 ~~condition of employment, is required to work less than 37.5 hours per week. if all of~~  
12 the following apply:

13       **SECTION 2072.** 238.30 (2m) (b) 1. of the statutes is created to read:

14       238.30 **(2m)** (b) 1. The annual pay for the position is more than the amount  
15 determined by multiplying 2,080 by 150 percent of the federal minimum wage.

16       **SECTION 2073.** 238.30 (2m) (b) 2. of the statutes is created to read:

17       238.30 **(2m)** (b) 2. An individual in the position is offered retirement, health,  
18 and other benefits that are equivalent to the retirement, health, and other benefits  
19 offered to an individual who is required to work at least 2,080 hours per year.

20       **SECTION 2074.** 238.30 (4m) of the statutes is amended to read:

21       238.30 **(4m)** "Member of a targeted group" means a person who resides in an  
22 area designated by the federal government as an economic revitalization area, a  
23 person who is employed in an unsubsidized job but meets the eligibility requirements  
24 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who  
25 is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work,~~

1 ~~real pay project position under s. 49.147 (3m) trial employment match program job,~~  
2 ~~as defined in s. 49.141 (1) (n),~~ a person who is eligible for child care assistance under  
3 s. 49.155, a person who is a vocational rehabilitation referral, an economically  
4 disadvantaged youth, an economically disadvantaged veteran, a supplemental  
5 security income recipient, a general assistance recipient, an economically  
6 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a  
7 food stamp recipient, if the person has been certified in the manner under 26 USC  
8 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

9 **SECTION 2075.** 238.303 (1) (a) of the statutes is amended to read:

10 238.303 (1) (a) Except as provided in ~~pars. (am) and par.~~ (b), and subject to a  
11 reallocation by the corporation pursuant to rules adopted under s. 238.15 (3) (d), the  
12 total tax benefits available to be allocated by the corporation under ss. 238.301 to  
13 238.306 may not exceed the sum of the tax benefits remaining to be allocated under  
14 s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s.  
15 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus ~~\$25,000,000~~  
16 \$100,000,000.

17 **SECTION 2076.** 238.303 (1) (am) of the statutes is repealed.

18 **SECTION 2077.** 238.399 (1) (am) 2. of the statutes is renumbered 238.399 (1)  
19 (am) 2. (intro.) and amended to read:

20 238.399 (1) (am) 2. (intro.) ~~The corporation may by rule specify circumstances~~  
21 ~~under which the corporation may grant exceptions to the requirement under subd.~~  
22 1. that a full-time employee means an individual who, as a condition of employment,  
23 is required to work at least 2,080 hours per year, ~~but under no circumstances may~~  
24 ~~a full-time employee mean an individual who, as a condition of employment, is~~  
25 ~~required to work less than 37.5 hours per week. if all of the following apply:~~



1           **SECTION 2078.** 238.399 (1) (am) 2. a. of the statutes is created to read:

2           238.399 (1) (am) 2. a. The individual is employed in a job for which the annual  
3           pay is more than the amount determined by multiplying 2,080 by 150 percent of the  
4           federal minimum wage.

5           **SECTION 2079.** 238.399 (1) (am) 2. b. of the statutes is created to read:

6           238.399 (1) (am) 2. b. The individual is offered retirement, health, and other  
7           benefits that are equivalent to the retirement, health, and other benefits offered to  
8           an individual who is required to work at least 2,080 hours per year.

9           **SECTION 2080.** 238.399 (5) (c) 2. (intro.) of the statutes is amended to read:

10          238.399 (5) (c) 2. (intro.) The business makes a significant capital investment  
11          in property located in the enterprise zone and all of the following apply:

12          **SECTION 2081.** 238.399 (5) (c) 2. a. of the statutes is repealed.

13          **SECTION 2082.** 238.399 (5) (d) 1. of the statutes is amended to read:

14          238.399 (5) (d) 1. The business is ~~an original equipment~~ a manufacturer with  
15          a significant supply chain in the state, as determined by the corporation ~~by rule~~.

16          **SECTION 2083.** 238.399 (6) (d) of the statutes is amended to read:

17          238.399 (6) (d) The corporation may require a business to repay any tax  
18          benefits the business claims for a year in which the business failed to maintain  
19          employment ~~or capital investment~~ levels or a significant capital investment in  
20          property required by an agreement under sub. (5) (c).

21          **SECTION 2084.** 238.399 (6) (g) (intro.) of the statutes is amended to read:

22          238.399 (6) (g) (intro.) The corporation shall adopt ~~rules~~ policies and  
23          procedures specifying all of the following:

24          **SECTION 2085.** 238.399 (6) (g) 2. of the statutes is repealed.

25          **SECTION 2086.** 238.399 (6) (g) 2m. of the statutes is created to read:

**SECTION 2086**

1           238.399 (6) (g) 2m. The definition of “significant capital investment” for  
2 purposes of sub. (5).

3           **SECTION 2087.** 256.125 of the statutes is repealed.

4           **SECTION 2088.** 281.33 (3) (a) 1. of the statutes is renumbered 281.33 (3) (a) 1.  
5 (intro.) and amended to read:

6           281.33 (3) (a) 1. (intro.) Except as restricted under subd. 2., the department  
7 shall establish by rule minimum standards for activities all of the following:

8           a. Activities related to construction site erosion control at sites where the  
9 construction activities do not include the construction of a building and to storm  
10 water management that have a land disturbance that is one acre or more in area.

11           **SECTION 2089.** 281.33 (3) (a) 1. b. of the statutes is created to read:

12           281.33 (3) (a) 1. b. Activities related to construction site erosion control at sites  
13 that have a land disturbance that is less than one acre and to which ss. 101.1206 and  
14 101.653 do not apply.

15           **SECTION 2090.** 281.33 (3) (a) 1. c. of the statutes is created to read:

16           281.33 (3) (a) 1. c. Storm water management.

17           **SECTION 2091.** 281.33 (3) (b) (intro.) of the statutes is amended to read:

18           281.33 (3) (b) (intro.) The minimum standards for construction site erosion  
19 control at sites ~~where the construction activities do not include the construction of~~  
20 ~~a building~~ described in par. (a) 1. a. and b. shall provide for the regulation of any  
21 construction activity, at such a site, that:

22           **SECTION 2092.** 281.33 (4) of the statutes is amended to read:

23           281.33 (4) MODEL ORDINANCES; STATE PLAN; DISTRIBUTION. The department shall  
24 prepare a model zoning ordinance for construction site erosion control at sites ~~where~~  
25 ~~the construction activities do not include the construction of a building~~ described in

1 sub. (3) (a) 1. a. and b. and for storm water management in the form of an  
2 administrative rule. The model ordinance is subject to s. 227.19 and other provisions  
3 of ch. 227 in the same manner as other administrative rules. Following the  
4 promulgation of the model ordinance as a rule, the department shall distribute a copy  
5 of the model ordinance to any city, village, town or county that submits a request.  
6 The department shall distribute a copy of the state plan to any agency which submits  
7 a request.

8 **SECTION 2093.** 281.59 (3e) (b) 1. of the statutes is amended to read:

9 281.59 (3e) (b) 1. Equal to \$69,200,000 \$76,700,000 during the 2011–13  
10 2013–15 biennium.

11 **SECTION 2094.** 281.59 (3e) (b) 3. of the statutes is amended to read:

12 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the 2011–13 2013–15  
13 biennium.

14 **SECTION 2095.** 281.59 (3s) (b) 1. of the statutes is amended to read:

15 281.59 (3s) (b) 1. Equal to \$30,700,000 \$29,600,000 during the 2011–13  
16 2013–15 biennium.

17 **SECTION 2096.** 281.59 (3s) (b) 2. of the statutes is amended to read:

18 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2011–13 2013–15  
19 biennium.

20 **SECTION 2097.** 283.33 (1) (a) of the statutes is amended to read:

21 283.33 (1) (a) A discharge from a discernible, confined, and discrete conveyance  
22 of storm water associated with an industrial activity, ~~including construction,~~ that  
23 meets criteria in rules promulgated by the department.

24 **SECTION 2098.** 283.33 (1) (am) of the statutes is created to read:

**SECTION 2098**

1           283.33 (1) (am) A discharge from a discernible, confined, and discrete  
2 conveyance of storm water associated with a construction site, including a  
3 construction site for a building, that meets criteria in rules promulgated by the  
4 department.

5           **SECTION 2099.** 283.33 (3) (d) of the statutes is created to read:

6           283.33 (3) (d) If the department determines that rules promulgated under s.  
7 281.16 (2) prescribe performance standards that meet the requirements for  
8 establishing minimum standards under this subsection, the department's rules  
9 under s. 281.16 (2) satisfy the rule-making requirements under this subsection and  
10 shall apply as if they were promulgated under this subsection.

11           **SECTION 2100.** 283.33 (4) (a) (intro.) of the statutes is amended to read:

12           283.33 (4) (a) (intro.) In addition to obtaining a permit under this section, the  
13 owner or operator of an industrial activity described in sub. (1) (a) or (am) that  
14 discharges storm water through a municipal separate storm sewer system described  
15 in sub. (1) (b) to (cr) shall submit the following information to the owner or operator  
16 of the municipal separate storm sewer system:

17           **SECTION 2101.** 283.33 (5) of the statutes is amended to read:

18           283.33 (5) OTHER DISCHARGERS. A person who is required to obtain a permit  
19 under sub. (1) (a), (am), or (d) may apply for an individual permit or request coverage  
20 under a general permit issued by the department under s. 283.35.

21           **SECTION 2102.** 283.33 (7) of the statutes is amended to read:

22           283.33 (7) PETITIONS. The owner or operator of a municipal separate storm  
23 sewer system may petition the department to require a permit under this section for  
24 any discharge through the municipal separate storm sewer system. The department

1 may approve the petition only if a permit for the discharge is required under sub. (1)  
2 (a), (am), or (d).

3 **SECTION 2103.** 283.35 (1m) (c) of the statutes is amended to read:

4 283.35 (1m) (c) Paragraph (b) does not apply after June 30, 2013 2015.

5 **SECTION 2104.** 283.35 (1m) (d) of the statutes is repealed.

6 **SECTION 2105.** 285.69 (2) (a) 1. of the statutes is repealed.

7 **SECTION 2106.** 285.69 (2) (a) 2. of the statutes is repealed.

8 **SECTION 2107.** 285.69 (2) (a) 3. of the statutes is repealed.

9 **SECTION 2108.** 285.69 (2) (a) 4. of the statutes is repealed.

10 **SECTION 2109.** 285.69 (2) (a) 5. of the statutes is amended to read:

11 285.69 (2) (a) 5. That fees are not based on emissions by an air contaminant  
12 source in excess of 5,000 tons per year of each regulated pollutant, ~~except that,~~  
13 ~~subject to par. (b), this limitation does not apply to a major utility, as defined in s.~~  
14 ~~285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42~~  
15 ~~USC 7651e.~~

16 **SECTION 2110.** 285.69 (2) (a) 6. of the statutes is repealed.

17 **SECTION 2111.** 285.69 (2) (a) 7. of the statutes is repealed.

18 **SECTION 2112.** 285.69 (2) (a) 9. of the statutes is repealed.

19 **SECTION 2113.** 285.69 (2) (a) 10. of the statutes is repealed.

20 **SECTION 2114.** 285.69 (2) (a) 11. of the statutes is repealed.

21 **SECTION 2115.** 285.69 (2) (a) 12. of the statutes is created to read:

22 285.69 (2) (a) 12. That the fee billed in 2013 equals \$37.51 per ton of emissions  
23 specified under subd. 8.

24 **SECTION 2116.** 285.69 (2) (a) 13. of the statutes is created to read:

**SECTION 2116**

1           285.69 (2) (a) 13. That the fee billed in 2014 equals \$46.71 per ton of emissions  
2 specified under subd. 8.

3           **SECTION 2117.** 285.69 (2) (a) 14. of the statutes is created to read:

4           285.69 (2) (a) 14. That the fee billed in 2015 equals \$59.81 per ton of emissions  
5 specified under subd. 8.

6           **SECTION 2118.** 285.69 (2) (a) 15. of the statutes is created to read:

7           285.69 (2) (a) 15. That the amount of the fee per ton of emissions specified under  
8 subd. 8. billed in a year after 2015 is 104 percent of the amount of the fee per ton billed  
9 in the previous year.

10          **SECTION 2119.** 285.69 (2) (b) of the statutes is repealed.

11          **SECTION 2120.** 285.69 (2) (e) of the statutes is amended to read:

12          285.69 (2) (e) Beginning in 2001 and ending in 2012, the owner or operator of  
13 a stationary source for which an operation permit is required shall pay to the  
14 department an annual fee of 86 cents per ton of actual emissions in the preceding  
15 year of all air contaminants on which the fee under par. (a) is based.

16          **SECTION 2121.** 285.69 (2m) (a) of the statutes is amended to read:

17          285.69 (2m) (a) The owner or operator of a stationary source for which an  
18 operation permit is required under s. 285.60 but not under the federal clean air act  
19 shall pay to the department a fee of \$300 \$725 per year, except as provided in par.  
20 (b).

21          **SECTION 2122.** 292.11 (2) (e) of the statutes is repealed.

22          **SECTION 2123.** 292.11 (7) (a) of the statutes is amended to read:

23          292.11 (7) (a) Subject to ss. 94.73 (2m) and 101.144 (3), in any case where action  
24 required under sub. (3) is not being adequately taken or the identity of the person  
25 responsible for the discharge is unknown, the department or its authorized

1 representative may identify, locate, monitor, contain, remove or dispose of the  
2 hazardous substance or take any other emergency action which it deems appropriate  
3 under the circumstances.

4 **SECTION 2124.** 292.11 (7) (c) of the statutes is amended to read:

5 292.11 (7) (c) Subject to ~~ss. 94.73 (2m) and 101.144 (3)~~<sup>s.</sup>, the department, for the  
6 protection of public health, safety or welfare, may issue an emergency order or a  
7 special order to the person possessing, controlling or responsible for the discharge of  
8 hazardous substances to fulfill the duty imposed by sub. (3).

9 **SECTION 2125.** 292.12 (1) (a) of the statutes is amended to read:

10 292.12 (1) (a) "Agency with administrative authority" means the department  
11 of agriculture, trade and consumer protection with respect to a site over which it has  
12 jurisdiction under s. 94.73 (2), ~~the department of safety and professional services~~  
13 ~~with respect to a site over which it has jurisdiction under s. 101.144 (2) (a)~~, or the  
14 department of natural resources with respect to a site over which it has jurisdiction  
15 under s. 292.11 (7).

16 **SECTION 2126.** 292.31 (7) (d) of the statutes is created to read:

17 292.31 (7) (d) The department may enter into an agreement with a responsible  
18 party under the federal Comprehensive Environmental Response, Compensation,  
19 and Liability Act, 42 USC 9601 to 9675, to provide management and technical  
20 support for a remedial action under the act. A responsible party shall reimburse the  
21 department for the costs the department incurs under an agreement, using the  
22 hourly billing rate calculated under s. NR 750.07 (2), Wis. Adm. Code.

23 **SECTION 2127.** 292.99 (1) of the statutes is amended to read:

24 292.99 (1) Except as provided under sub. (1m) and s. 292.63 (10), any person  
25 who violates this chapter or any rule promulgated or any plan approval, license or

1 special order issued under this chapter shall forfeit not less than \$10 nor more than  
2 \$5,000 for each violation. Each day of continued violation is a separate offense.  
3 While an order is suspended, stayed or enjoined, this penalty does not accrue.

4 **SECTION 2128.** 299.07 (1) (a) 6m. of the statutes is created to read:

5 299.07 (1) (a) 6m. A certification or registration under s. 292.63 (2) (g).

6 **SECTION 2129.** 299.08 (1) (a) 6m. of the statutes is created to read:

7 299.08 (1) (a) 6m. A certification or registration under s. 292.63 (2) (g).

8 **SECTION 2130.** 299.09 (1) of the statutes is amended to read:

9 299.09 (1) In this section, “approval” means a well driller license under s.  
10 280.15 (2m), certification for an incinerator operator under s. 285.51 (2), or  
11 certification for an operator of a solid waste disposal facility under s. 289.42 (1), or  
12 certification of a consultant under s. 292.63 (2) (g).

13 **SECTION 2131.** 301.08 (1) (c) 4. of the statutes is amended to read:

14 301.08 (1) (c) 4. If the department collects any moneys from a vendor under a  
15 contract under subd. 2., the department shall credit those moneys to the  
16 appropriation account under s. 20.410 (1) ~~(ge)~~ (gf).

17 **SECTION 2132.** 301.235 (2) (a) 1. of the statutes is amended to read:

18 301.235 (2) (a) 1. Without limitation by reason of any other statute except s.  
19 ss. 13.48 (14) (am) and 16.848 (1), the power to sell and to convey title in fee simple  
20 to a nonprofit corporation any land and any existing buildings thereon owned by, or  
21 owned by the state and held for, the department or any of the institutions under the  
22 jurisdiction of the department for such consideration and upon such terms and  
23 conditions as in the judgment of the secretary are in the public interest.

24 **SECTION 2133.** 301.24 (4) of the statutes is amended to read:



1           301.24 (4) SALES. Except where a sale occurs under s. 13.48 (14) (am) or 16.848  
2           (1), the department, with the approval of the building commission, may sell and  
3           convey such lands under the jurisdiction of the department as the secretary deems  
4           to be in excess of the present or future requirements of the department for either the  
5           operation of its facilities or programs, for the maintenance of buffer zones adjacent  
6           to its facilities or for other public purposes. The proceeds of the sales shall be credited  
7           to the state building trust fund.

8           **SECTION 2134.** 301.24 (4m) of the statutes is amended to read:

9           301.24 (4m) CORRECTIONAL INSTITUTION PROPERTY DISPOSITION. In addition to  
10          any other requirements under this section, except where a sale occurs under s. 13.48  
11          (14) (am) or 16.848 (1), the department may sell or otherwise transfer or dispose of  
12          the property acquired for the correctional institution under s. 46.05 (1o), 1985 stats.,  
13          only if the sale, transfer or disposition is approved by the joint committee on finance.  
14          The department shall submit a plan for any such proposed sale, transfer or  
15          disposition to the committee.

16          **SECTION 2135.** 301.26 (4) (d) 2. of the statutes is amended to read:

17          301.26 (4) (d) 2. Beginning on July 1, ~~2011~~ 2013, and ending on June 30, ~~2012~~  
18          2014, the per person daily cost assessment to counties shall be ~~\$284~~ \$297 for care in  
19          a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$284~~ \$297 for care  
20          for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),  
21          ~~\$99~~ \$125 for departmental corrective sanctions services, and ~~\$40~~ \$41 for  
22          departmental aftercare services.

23          **SECTION 2136.** 301.26 (4) (d) 3. of the statutes is amended to read:

24          301.26 (4) (d) 3. Beginning on July 1, ~~2012~~ 2014, and ending on June 30, ~~2013~~  
25          2015, the per person daily cost assessment to counties shall be ~~\$289~~ \$304 for care in

**SECTION 2136**

1 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$289~~ \$304 for care  
2 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),  
3 ~~\$100~~ \$128 for departmental corrective sanctions services, and ~~\$40~~ \$41 for  
4 departmental aftercare services.

5 **SECTION 2137.** 301.26 (4) (e) of the statutes is amended to read:

6 301.26 (4) (e) For ~~foster care, group home care, and institutional child care to~~  
7 alternate care services for delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4)  
8 and (14), and 938.52 all payments and deductions made under this subsection and  
9 uniform fee collections under s. 301.03 (18) shall be credited to the appropriation  
10 account under s. 20.410 (3) (ho).

11 **SECTION 2138.** 301.26 (4) (ed) of the statutes is amended to read:

12 301.26 (4) (ed) For ~~foster care, group home care, and institutional child care to~~  
13 alternate care services for serious juvenile offenders under ss. 49.19 (10) (d), 938.48  
14 (4) and (14), and 938.52 all uniform fee collections under s. 301.03 (18) shall be  
15 credited to the appropriation account under s. 20.410 (3) (ho).

16 **SECTION 2139.** 301.26 (7) (intro.) of the statutes is amended to read:

17 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
18 of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate  
19 funds for community youth and family aids for the period beginning on July 1, 2011  
20 2013, and ending on June 30, ~~2013~~ 2015, as provided in this subsection to county  
21 departments under ss. 46.215, 46.22, and 46.23 as follows:

22 **SECTION 2140.** 301.26 (7) (a) of the statutes is amended to read:

23 301.26 (7) (a) For community youth and family aids under this section,  
24 amounts not to exceed \$45,478,000 for the last 6 months of ~~2011~~ 2013, \$90,956,100  
25 for ~~2012~~ 2014, and \$45,478,100 for the first 6 months of ~~2013~~ 2015.

1       **SECTION 2141.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

2       301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall  
3       allocate \$2,000,000 for the last 6 months of ~~2011~~ 2013, \$4,000,000 for ~~2012~~ 2014, and  
4       \$2,000,000 for the first 6 months of ~~2013~~ 2015 to counties based on each of the  
5       following factors weighted equally:

6       **SECTION 2142.** 301.26 (7) (b) 2. of the statutes is amended to read:

7       301.26 (7) (b) 2. Each county's proportion of the total Part I juvenile arrests  
8       reported statewide under the uniform crime reporting system of the ~~office of justice~~  
9       ~~assistance~~ department of justice during the most recent 3-year period for which that  
10      information is available.

11      **SECTION 2143.** 301.26 (7) (bm) of the statutes is amended to read:

12      301.26 (7) (bm) Of the amounts specified in par. (a), the department shall  
13      allocate \$6,250,000 for the last 6 months of ~~2011~~ 2013, \$12,500,000 for ~~2012~~ 2014,  
14      and \$6,250,000 for the first 6 months of ~~2013~~ 2015 to counties based on each county's  
15      proportion of the number of juveniles statewide who are placed in a juvenile  
16      correctional facility during the most recent 3-year period for which that information  
17      is available.

18      **SECTION 2144.** 301.26 (7) (c) of the statutes is amended to read:

19      301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate  
20      \$1,053,200 for the last 6 months of ~~2011~~ 2013, \$2,106,500 for ~~2012~~ 2014, and  
21      \$1,053,300 for the first 6 months of ~~2013~~ 2015 to counties based on each of the factors  
22      specified in par. (b) 1. to 3. weighted equally, except that no county may receive an  
23      allocation under this paragraph that is less than 93% nor more than 115% of the  
24      amount that the county would have received under this paragraph if the allocation  
25      had been distributed only on the basis of the factor specified in par. (b) 3.

1           **SECTION 2145.** 301.26 (7) (e) of the statutes is amended to read:

2           301.26 (7) (e) For emergencies related to community youth and family aids  
3 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2011~~ 2013,  
4 \$250,000 for 2012 2014, and \$125,000 for the first 6 months of ~~2013~~ 2015. A county  
5 is eligible for payments under this paragraph only if it has a population of not more  
6 than 45,000.

7           **SECTION 2146.** 301.26 (7) (h) of the statutes is amended to read:

8           301.26 (7) (h) For counties that are participating in the corrective sanctions  
9 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2011~~ 2013,  
10 \$2,124,800 in 2012 2014, and \$1,062,400 in the first 6 months of ~~2013~~ 2015 for the  
11 provision of corrective sanctions services for juveniles from that county. In  
12 distributing funds to counties under this paragraph, the department shall determine  
13 a county's distribution by dividing the amount allocated under this paragraph by the  
14 number of slots authorized for the program under s. 938.533 (2) and multiplying the  
15 quotient by the number of slots allocated to that county by agreement between the  
16 department and the county. The department may transfer funds among counties as  
17 necessary to distribute funds based on the number of slots allocated to each county.

18           **SECTION 2147.** 301.26 (8) of the statutes is amended to read:

19           301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
20 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
21 6 months of ~~2011~~ 2013, \$1,333,400 in 2012 2014, and \$666,700 in the first 6 months  
22 of ~~2013~~ 2015 for alcohol and other drug abuse treatment programs.

23           **SECTION 2148.** 301.263 (3) of the statutes is amended to read:

24           301.263 (3) The department shall distribute 33% of the amounts distributed  
25 under sub. (1) based on each county's proportion of the violent Part I juvenile arrests

1 reported statewide under the uniform crime reporting system of the ~~office of justice~~  
2 ~~assistance in the department of administration~~ department of justice, during the  
3 most recent 2-year period for which that information is available. The department  
4 shall distribute 33% of the amounts distributed under sub. (1) based on each county's  
5 proportion of the number of juveniles statewide who are placed in a juvenile  
6 correctional facility or a secured residential care center for children and youth during  
7 the most recent 2-year period for which that information is available. The  
8 department shall distribute 34% of the amounts distributed under sub. (1) based on  
9 each county's proportion of the total Part I juvenile arrests reported statewide under  
10 the uniform crime reporting system of the ~~office of justice assistance~~ department of  
11 justice, during the most recent 2-year period for which that information is available.

12 **SECTION 2149.** 301.27 (1) of the statutes is amended to read:

13 301.27 (1) CHARGES. In compliance with the compensation plan established  
14 under s. 230.12 (3), the department may make and determine charges for meals,  
15 living quarters, laundry, and other services furnished to employees of the state  
16 correctional institutions and members of the employee's family maintained as such.  
17 All moneys received from each person on account of these services shall be used for  
18 operation of the institutions under s. 20.410 (1) (a) and (3) (a), and (hm) ~~and (j)~~. If  
19 a chaplain employed in any institution administered by the department is not  
20 furnished a residence by the state, \$1,800 or 20% of the chaplain's salary, whichever  
21 is greater, is designated as his or her housing allowance.

22 **SECTION 2150.** 301.32 (1) of the statutes is amended to read:

23 301.32 (1) PROPERTY DELIVERED TO WARDEN OR SUPERINTENDENT; CREDIT AND DEBIT.  
24 All money and other property delivered to an employee of any state correctional  
25 institution for the benefit of a prisoner or resident shall be delivered to the warden

**SECTION 2150**

1 or superintendent, who shall enter the property upon his or her accounts to the credit  
2 of the prisoner or resident. The property may be used only under the direction and  
3 with the approval of the superintendent or warden and for the crime victim and  
4 witness assistance surcharge under s. 973.045 (4), the delinquency victim and  
5 witness assistance surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid  
6 analysis surcharge under s. 973.046 (1r), the child pornography surcharge under s.  
7 973.042, the drug offender diversion surcharge under s. 973.043, or the benefit of the  
8 prisoner or resident. If the money remains uncalled for for one year after the  
9 prisoner's or resident's death or departure from the state correctional institution, the  
10 superintendent shall deposit it in the general fund. If any prisoner or resident leaves  
11 property, other than money, uncalled for at a state correctional institution for one  
12 year, the superintendent shall sell the property and deposit the proceeds in the  
13 general fund, donate the property to a public agency or private, nonprofit  
14 organization or destroy the property. If any person satisfies the department, within  
15 5 years after the deposit, of his or her right to the deposit, the department shall direct  
16 the department of administration to draw its warrant in favor of the claimant and  
17 it shall charge the same to the appropriation made by s. 20.913 (3) (bm).

18 **SECTION 2151.** 301.32 (3) (a) of the statutes is renumbered 301.32 (3).

19 **SECTION 2152.** 301.32 (3) (b) of the statutes is repealed.

20 **SECTION 2153.** 301.32 (3) (c) of the statutes is repealed.

21 **SECTION 2154.** 302.04 of the statutes is amended to read:

22 **302.04 Duties of warden and superintendents.** Except as provided in s.  
23 ss. 13.48 (14) (am) and 16.848 (1), the warden or the superintendent of each state  
24 prison shall have charge and custody of the prison and all lands, belongings,  
25 furniture, implements, stock and provisions and every other species of property

1 within the same or pertaining thereto. The warden or superintendent shall enforce  
2 the rules of the department for the administration of the prison and for the  
3 government of its officers and the discipline of its inmates.

4 **SECTION 2155.** 302.12 (2) of the statutes is amended to read:

5 302.12 (2) Money accruing under this section remains under the control of the  
6 department, to be used for the crime victim and witness assistance surcharge under  
7 s. 973.045 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 (1r), the  
8 drug offender diversion surcharge under s. 973.043, and the benefit of the inmate or  
9 the inmate's family or dependents, under rules promulgated by the department as  
10 to time, manner and amount of disbursements. The rules shall provide that the  
11 money be used for the reasonable support of the inmate's family or dependents before  
12 it is allocated for the drug offender diversion surcharge.

13 **SECTION 2156.** 302.13 of the statutes is amended to read:

14 **302.13 Preservation of property an inmate brings to prison.** The  
15 department shall preserve money and effects, except clothes, in the possession of an  
16 inmate when admitted to the prison and, subject to the crime victim and witness  
17 assistance surcharge under s. 973.045 (4), the deoxyribonucleic acid analysis  
18 surcharge under s. 973.046 (1r), the child pornography surcharge under s. 973.042,  
19 and the drug offender diversion surcharge under s. 973.043, shall restore the money  
20 and effects to the inmate when discharged.

21 **SECTION 2157.** 302.43 of the statutes is amended to read:

22 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
23 in the amount of one-fourth of his or her term for good behavior if sentenced to at  
24 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit  
25 for time served prior to sentencing under s. 973.155, including good time under s.

**SECTION 2157**

1 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects  
2 or refuses to perform any duty lawfully required of him or her, may be deprived by  
3 the sheriff of good time under this section, except that the sheriff shall not deprive  
4 the inmate of more than 2 days good time for any one offense without the approval  
5 of the court. An inmate who files an action or special proceeding, including a petition  
6 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of  
7 the number of days of good time specified in the court order prepared under s. 807.15

8 (3). This section does not apply to a person who is confined in the county jail in  
9 connection with his or her participation in a substance abuse treatment program  
10 that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as determined by the  
11 ~~office of justice assistance department of justice~~ under s. ~~16.964 (12) (j)~~ 165.95 (9) and  
12 (10).

13 **SECTION 2158.** 304.075 of the statutes is repealed.

14 **SECTION 2159.** 321.40 (5) (c) of the statutes is amended to read:

15 321.40 (5) (c) No guard member may receive a tuition grant under sub. (3) for  
16 any semester in which he or she received a payment under s. 45.20 (2) or 45.205 (2).

17 **SECTION 2160.** 321.42 (1) (b) of the statutes is amended to read:

18 321.42 (1) (b) The costs and expenses of the defense under par. (a) shall be  
19 audited by the department of administration and charged to the appropriation under  
20 s. ~~20.455 (1) (b)~~ 20.505 (1) (d). If the jury or court finds that the member against  
21 whom the action is brought acted within the scope of his or her employment as a  
22 member, the judgment as to damages entered against the member shall be paid by  
23 the state.

24 **SECTION 2161.** 321.60 (1) (a) 12. of the statutes is amended to read:



1           321.60 (1) (a) 12. A license or certificate of registration issued by the  
2   department of financial institutions, or a division of it, under ss. 138.09, 138.12,  
3   138.14, 202.13, 202.14, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72,  
4   224.725, or 224.93 or subch. IV of ch. 551.

5           **SECTION 2162.** 323.40 (3) (a) of the statutes is renumbered 323.40 (3) (a) 1. and  
6   amended to read:

7           323.40 (3) (a) 1. Except as provided in par. (b), an individual who registers in  
8   writing with a local unit of government's emergency management program to  
9   provide his or her own labor without compensation, other than reimbursement for  
10   travel, lodging, or meals, during a disaster, an imminent threat of a disaster, or a  
11   related training exercise is considered an employee of the ~~local unit of government~~  
12   state for worker's compensation under ch. 102 for purposes of any claim relating to  
13   the labor provided.

14          **SECTION 2163.** 323.40 (3) (a) 2. of the statutes is created to read:

15          323.40 (3) (a) 2. If an individual who is considered an employee of the state  
16   under subd. 1. files a claim for worker's compensation relating to the individual's  
17   labor provided during a disaster, an imminent threat of a disaster, or a related  
18   training exercise, the local unit of government with which the individual is  
19   registered to provide that labor shall refer that claim to the department of military  
20   affairs, and, if the claim is payable under ch. 102, the department shall pay that  
21   claim from the appropriation under s. 20.465 (3) (am).

22          **SECTION 2164.** 343.50 (8) (c) 3. of the statutes is renumbered 343.50 (8) (c) 5.

23          **SECTION 2165.** 343.50 (8) (c) 4. of the statutes is created to read:

24          343.50 (8) (c) 4. Notwithstanding par. (b) and s. 343.14 (2j), the department  
25   may, upon request, provide to the department of revenue any applicant information,

**SECTION 2165**

1 including social security numbers, maintained by the department of transportation  
2 and identified in s. 343.14 (2), including providing electronic access to the  
3 information. Any information obtained by the department of revenue under this  
4 subdivision is subject to the confidentiality provisions of s. 71.78.

5 **SECTION 2166.** 348.21 (3) (b) 1. b. of the statutes is amended to read:

6 348.21 (3) (b) 1. b. ~~Two~~ Three cents for each pound of total excess load if the  
7 excess is over 2,000 pounds and not over 3,000 pounds.

8 **SECTION 2167.** 348.21 (3) (b) 1. c. of the statutes is amended to read:

9 348.21 (3) (b) 1. c. ~~Three~~ Five cents for each pound of total excess load if the  
10 excess is over 3,000 pounds and not over 4,000 pounds.

11 **SECTION 2168.** 348.21 (3) (b) 1. d. of the statutes is amended to read:

12 348.21 (3) (b) 1. d. ~~Five~~ Eight cents for each pound of total excess load if the  
13 excess is over 4,000 pounds and not over 5,000 pounds.

14 **SECTION 2169.** 348.21 (3) (b) 1. e. of the statutes is amended to read:

15 348.21 (3) (b) 1. e. ~~Seven~~ Fifteen cents for each pound of total excess load if the  
16 excess is over 5,000 pounds.

17 **SECTION 2170.** 348.21 (3) (b) 2. b. of the statutes is amended to read:

18 348.21 (3) (b) 2. b. ~~Four~~ Five cents for each pound of total excess load if the  
19 excess is over 2,000 pounds and not over 3,000 pounds.

20 **SECTION 2171.** 348.21 (3) (b) 2. c. of the statutes is amended to read:

21 348.21 (3) (b) 2. c. ~~Six~~ Eight cents for each pound of total excess load if the excess  
22 is over 3,000 and not over 4,000 pounds.

23 **SECTION 2172.** 348.21 (3) (b) 2. d. of the statutes is amended to read:

24 348.21 (3) (b) 2. d. ~~Eight~~ Twelve cents for each pound of total excess load if the  
25 excess is over 4,000 pounds and not over 5,000 pounds.